

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants : Rick Braumoeller et al.
Application No. : 09/965,121
Filed : September 27, 2001
For : Dynamically Determining Actual Delivery Information For Orders
Based On Actual Order Fulfillment Plans

Examiner : Jamisue A. Plucinski
Art Unit : 3629
Docket No. : 120137.460
Date : May 17, 2010

Mail Stop Issue Fee
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

COMMENTS ON STATEMENT OF REASONS FOR ALLOWANCE

Commissioner for Patents:

In order to avoid processing delays, the following comments are being submitted with payment of the issue fee. Applicants respectfully request that these comments be made of record.

In the Notice of Allowability mailed March 8, 2010, the Examiner provided a statement of reasons for allowance of some of the pending claims. While Applicants agree that the pending claims are allowable over the prior art of record, Applicants believe that the allowed claims are further allowable over the prior art for additional reasons, including that none of the cited prior art references appear to include any teaching, suggestion or motivation for functionality in the non-exclusive list as follows: before receiving a particular possible order for one or more particular items to be delivered to a particular recipient, automatically analyzing multiple alternative fulfillment plans for satisfying that possible order and determining an actual delivery date for that particular possible order if it is made using one or more particular

fulfillment plans; and, for an order that has not yet been received, determining multiple alternative fulfillment plans for the order from multiple alternative geographically distributed item distribution centers, including to consider information about processing that would take place at such item distribution centers. In addition, while each of the dependent claims are allowable for the same reasons as the claims from which they depend, Applicants believe that various of the dependent claims are also each allowable over the cited prior art for additional reasons specific to those dependent claims.

If any issues to be resolved arise, Applicants request that the Examiner contact the undersigned at (206) 694-4815 to resolve the same.

Respectfully submitted,
SEED Intellectual Property Law Group PLLC

/James A. D. White/

James A. D. White
Registration No. 43,985

JDW:dd

701 Fifth Avenue, Suite 5400
Seattle, Washington 98104-7092
Phone: (206) 622-4900
Fax: (206) 682-6031